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Message Text

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PAGE 01 LAGOS 05262 271610Z
ACTION AF-10

INFO OCT-01 ISO-00 SSO-00 DRC-01 /012 W
----------071644 271612Z /72/45
O 221530Z APR 78 ZFF4
FM AMEMBASSY LAGOS
TO SECSTATE WASHDC NIACT IMMEDIATE 8067

C O N F I D E N T I A L LAGOS 5262

C O R R E C T E D C O P Y (MRN 5262 VICE 5087)

AF/W FOR AMBASSADOR EASUM

E.O. 11652: GDS
TAGS: CASC, NI
SUBJECT: RAY BAKER

REF: (A) STATE 102336, (B) LAGOS 5067

1. I SAW FABUNMI AT HIS HOUSE EARLY THIS AFTERNOON AND MADE STRONG PLEA FOR DECISION ON BAKER'S CASE EARLY NEXT WEEK IN VIEW OF THE WORKING GROUP SESSIONS THAT WEEK. FABUNMI REPEATED WHAT HE HAD TOLD CAHILL YESTERDAY, EMPHASIZING THAT HE KNEW BAKER AND WOULD LIKE TO HELP HIM BUT THAT MATTER HAD NOT BEEN BROUGHT TO HIS ATTENTION UNTIL HUFFMAN'S CALL ON APRIL 6, ALTHOUGH HE THOUGHT ODDS WERE GOOD THAT HIS INTERVENTION WITH THE CABINET OFFICE FOR BAKER, PETTY AND QUITE A NUMBER OF OTHERS ON APRIL 20 WOULD LEAD TO A POSITIVE DECISION WITH REGARD TO BAKER, HE ADMITTED THAT HE DID NOT EXPECT A DECISION AS EARLY AS NEXT WEEK.

2. IN HIS IRRESISTIBLY RAMBLING FASHION, FABUNMI DESCRIBED AT SOME LENGTH THE PROBLEMS HE ENCOUNTERS IN TRYING TO PUSH CASES LIKE THIS. THERE HAVE BEEN NUMBEROUS CASES IN THE PAST WHERE VARIOUS EMBASSIES HAVE EXERTED AN ENORMOUS AMOUNT OF PRESSURE TO OBTAIN THE RELEASE OF THEIR CITIZENS CHARGED WITH VARIOUS
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OFFENSES, WHETHER GUILTY OR INNOCENT. THE NIGERIAN GOVERNMENT DOES NOT FOR ITS PART ENDEAVOR TO INTERFERE IN THE COURSE OF JUSTICE IN OTHER COUNTRIES. AS A RESULT, THE SECURITY AUTHORITIES IN NIGERIA BELIEVE THAT MANY EMBASSIES IN LAGOS ARE CONVINCED THAT THEIR CITIZENS CANNOT OBTAIN FAIR TREATMENT FROM NIGERIAN AUTHORITIES. THEY NATURALLY RESENT THIS PERCEIVED ATTITUDE AND AS A MATTER OF PRINCIPLE ARE MOST RELUCTANT TO TAKE

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ANY SPECIAL STEPS WHICH ARE BEING SOUGHT BY AN EMBASSY. FEBUNMI SAID THAT THE HIGHER THE EMBASSIES GO IN EXERTING PRESSURE, THE GREATER THE INCLINATION OF THE SECURITY AUTHORITIES IS TO STAND FAST ON THEIR GROUND. FABUNMI SAID THAT HE HAS FREQUENTLY BEEN ACCUSED OF BEING IN THE PAY OF THE PARTICULAR FOREIGNER WHOSE CASE HE IS TRYING TO PUSH WITH THE SECURITY AUTHORITIES.

3. REFERRING TO THE LEFEVRE CASE, FABUNMI SAID THE SECURITY PEOPLE HAD COMPLAINED BITTERLY THAT THIS CASE HAD BEEN QUOTE OVER-POLITICIZED UNQUOTE BY THE USG. HE SAID HE BELIEVED THAT THE REARREST OF LEFEVRE HAD OCCURRED BECAUSE THE SECURITY PEOPLE HAD BEEN SO ANNOYED BY THE PRESSURE BEING EXERTED IN THIS CASE.

4. FABUNMI MADE TWO SUGGESTIONS. ONE WAS THAT WE PROVIDE HIM WITH ANOTHER NOTE IN WHICH WE REFERRED TO THE EFFECT WHICH THE BAKER CASE HAS HAD OR WILL HAVE IN RELATION TO OTHER AMERICANS WHO ARE THINKING RF INVESTING IN NIGERIA. THE OTHER WAS THAT BAKER WRITE HIM A PERSONAL LETTER IN WHICH HE DESCRIBED WHICH PEOPLE IN HIS COMPANY HAD SOUGHT TO MAKE TROUBLE FOR HIM, AND WHY. FABUNMI SAID THAT HE MIGHT NOT HAVE TO USE SUCH A LETTER, BUT THAT ON THE OTHER HAND IT MIGHT BE HELPFUL IN HIS INTER-CESSIONS FOR BAKER.

5. WE WILL DELIVER A NOTE OF THE TYPE REQUESTED TO FABUNMI AT HIS OFFICE ON MONDAY MORNING ALONG WITH A REQUEST THAT HE TAKE URGENT ACTION ON IT.
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6. A HIGH LEVEL NSO OFFICIAL RECENTLY REITERATED TO EMBASSY OFFICER THAT NSO HAS HAD NO INTEREST IN THE BAKER CASE FOR A LONG TIME AND THAT HE BELIEVES BAKER WAS FRAMED BY DISGRUNTLED EMPLOYEES. EMBASSY OFFICER IS ENDEAVORING TO SEE HIM AGAIN THIS WEEKEND TO SEE IF HE CAN OBTAIN ADVICE FROM NSO DIRECTOR BRIGADIER ABDULAHI MUHAMMED REGARDING BEST MEANS OF CLEARING BAKER'S STATUS MOST EXPEDITIOUSLY.

7. WE WILL DISCUSS WITH HUFFMAN AT OPENING OF BUSINESS MONDAY WHETHER AN APPROACH DIRECTLY TO THE IMMIGRATION DEPARTMENT COULD POSSIBLY BE USEFUL.

8. IT DOES NOT APPEAR TO ME THAT IT WOULD BE HELPFUL TO ESCALATE THIS ISSUE TO THE NEW PERMSEC IN MEA OVER FABUNMI'S HEAD. I BELIEVE HE WOULD BE IRRITATED TO BE APPROACHED ON THE MATTER WITH A REQUEST FOR ACTION WITHIN THE NEXT FEW DAYS. HE WOULD NOT UNDERSTAND WHY IT WAS SO ESSENTIAL TO SETTLE THE MATTER IN LAGOS NEXT WEEK INSTEAD OF DISCUSSING FRANKLY IN THE WORKING GROUP MEETINGS THE PROBLEM WHICH THE CASE PRESENTS IN TERMS OF INVESTOR CONFIDENCE. HOWEVER, IF YOU DO WISH ME TO ESCALATE THE MATTER, I THINK IT WOULD BE BETTER FOR ME TO APPROACH

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PERMSEC RATHER THAN YAR'ADUA.
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